

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

**DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF CALLAWAY
GOLF'S *REPLY* IN SUPPORT OF ITS MOTION IN LIMINE TO
PRECLUDE ANY REFERENCE TO ACUSHNET'S "TEST BALLS"**

I, Thomas L. Halkowski, declare as follows:

1. I am a principal of Fish & Richardson P.C., counsel of record in this action for Callaway Golf Company. I am a member of the Bar of the State of Delaware and am admitted to this Court. I have personal knowledge of the matters stated in this declaration and would testify to them under oath if called upon to do so.
2. Attached as **Exhibit A** is a true and correct copy of excerpts from the deposition transcript of Dr. William MacKnight, taken in this matter on August 2, 2007.
3. Attached as **Exhibit B** is a true and correct copy of excerpts from the telephonic conference held with the Court on December 9, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 2nd day of February, 2010 at Wilmington, Delaware.

/s/ Thomas L. Halkowski

Thomas L. Halkowski

Dated: February 2, 2010

FISH & RICHARDSON P.C.

By: /s/ Thomas L. Halkowski

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CALLAWAY GOLF COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2010, I electronically filed with the Clerk of Court **DECLARATION OF THOMAS L. HALKOWSKI IN SUPPORT OF CALLAWAY GOLF'S *REPLY* IN SUPPORT OF ITS MOTION IN LIMINE TO PRECLUDE ANY REFERENCE TO ACUSHNET'S "TEST BALLS"** using CM/ECF which will send electronic notification of such filing(s) to the following Delaware counsel. In addition, the filing will also be sent via electronic mail:

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/s/ Thomas L. Halkowski

Thomas L. Halkowski